

Sep-12-05

From-GREENBERG TRAUM

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T-683 P.002/005 F-687



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dayuan Wang, et al.

Examiner: To Be Assigned

Serial No. 10/528,444

Group Art Unit: To Be Assigned

Adjusted Date Filed: 01/23/2005
01/23/2005 HIRANT 00000667 38638 10528444
01 FC Title: 360.00

Docket No. 58260-011600
36 FC 1615 50.00 CR

**DERIVATIVES OF TRIPTOLIDE HAVING A HIGH
IMMUNOSUPPRESSIVE EFFECT AND HIGH WATER SOLUBILITY, AND
USES THEREOF**

CERTIFICATE UNDER 37 CFR 1.6(d)

I hereby certify that this correspondence and identified enclosures are being transmitted via facsimile only to the Office of Initial Patent Examination Facsimile No. (703) 746-9195 on September 12, 2005.

Sherie Wagoner
Name: Sherie Wagoner

REQUEST TO CORRECT UNINTENTIONAL ERROR IN ENTITY STATUS &
REQUEST FOR REFUND UNDER 37 CFR §1.28

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

03/11/2005 260.00 CR

03/11/2005 360.00 CR

Sir/Madam:

We respectfully request the correction of an unintentional error in Entity Status in the above-mentioned Application. The application was incorrectly assigned Large entity status because it was filed with incorrect fee calculations. Specifically, the application was filed on an incorrect payment of \$1,410.00, which would indicate that the Applicants are a large entity. However, these fee calculations were incorrect as the Applicants are a small entity. Therefore, we respectfully request that the Application be assigned Small Entity Status.

Accordingly, under 37 CFR §1.28, we request a refund for the following fees.

- i) The \$300.00 Basic Filing Fee – Utility authorized for payment in the patent application transmittal form filed on March 18, 2005 was overpaid by \$150.00.
Adjustment date: 01/23/2005 PBOOKER
01/23/2005 360.00 CR 10528444
- ii) The \$500.00 Utility Search Fee authorized for payment in the patent application transmittal form filed on March 18, 2005 was overpaid by \$250.00.

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T-683 P.003/005 F-687

Serial No. 10/528,444

PATENT
Docket No. 58260-011600

- iii) The \$200.00 Utility Examination Fee authorized for payment in the patent application transmittal form filed on March 18, 2005 was **overpaid** by \$100.00.
- iv) The \$50.00 fee for claims in excess of 20 authorized for payment in the patent application transmittal form filed on March 18, 2005 was **overpaid** by \$25.00.
- v) The \$360.00 fee for multiple dependent claims authorized for payment in the patent application transmittal form filed on March 18, 2005 was **overpaid** by \$180.00.

We have attached a copy of the Application Transmittal Form filed March 18, 2005 which failed to display Small Entity Status.

We request correction of the entity status from Large Entity to Small Entity and an updated filing receipt reflecting the correct entity status. The Commissioner is authorized and requested to credit a total amount of **\$705.00** to Deposit Account No. 50-2638. Please reference Attorney Docket Number 58260-011600 in any transactions connected with this application.

Respectfully submitted,

E. Nair Flores
Reg. No. 54,103

Date: September 12, 2005

Customer Number 33717
GREENBERG TRAURIG, LLP
2450 Colorado Avenue, Suite 400E
Santa Monica, CA 90404
Phone: (310) 586-6511
Fax: (310) 586-0511
E-mail: floresn@gtlaw.com

LA-FS1\360252v01\58260.011600

PAGE 3/5 * RCVD AT 9/12/2005 1:22:32 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-5/24 * DNI:7469195 * CSID:+3105867917 * DURATION (mm:ss):02:16

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Sep 18 2005

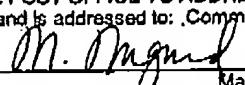
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T-683 P.004/005 F-687

EV310126635US

DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE Form PTO-1390 (REV 04/04)		ATTORNEY'S DOCKET NO. 58260-011600/US
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) N/A
INTERNATIONAL APPLICATION NO. PCT/CN2003/000748	INTERNATIONAL FILING DATE 4 September 2003 (4.09.2003)	PRIORITY DATE CLAIMED 18 September 2002 (18.09.2002)
TITLE OF INVENTION DERIVATIVES OF TRIPTOLIDE HAVING A HIGH IMMUNOSUPPRESSIVE EFFECT AND HIGH WATER SOLUBILITY, AND USES THEREOF		
APPLICANT(S) FOR DO/EO/US WANG, Dayuan et al.		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). a. <input checked="" type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11 to 20 below concern document(s) or information included:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.</p> <p>18. <input checked="" type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input checked="" type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information:</p>		
Return postcard from the DO/EO/US confirming receipt of US 371 National Phase Application, Replacement pages for amendments (7 pages)		

EXPRESS MAIL MAILING LABEL	
NUMBER EV310126635US	DATE OF DEPOSIT March 18 2005
I hereby certify that this paper or fee is being deposited with the United States Postal Service 'EXPRESS MAIL POST OFFICE TO ADDRESSEE' service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Alexandria, Virginia 22313.	
 _____ Marie Nuguid	

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SEP 18 2005
U.S. PATENT & TRADEMARK OFFICE

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER																				
	PCT/CN2003/000748	S8260-011600/US																				
17. <input checked="" type="checkbox"/> The following fees are submitted: (a) Basic National Stage Fee \$300.00 (b) National Stage Search Fee \$500.00 (c) National Stage Examination Fee \$200.00		CALCULATIONS PTO USE ONLY																				
ENTER APPROPRIATE BASIC FEE AMOUNT = \$ 1,000.00																						
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 0.00																				
<table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>21 - 20 =</td> <td>1</td> <td>x \$ 50.00 \$ 50.00</td> </tr> <tr> <td>Independent Claims</td> <td>3 - 3 =</td> <td></td> <td>x \$ 200.00 \$ 0.00</td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td></td> <td>+ \$ 360.00 \$360.00</td> </tr> <tr> <td colspan="2">National Stage Application Size Fee - for each additional 50 sheets that exceeds 100 sheets</td> <td></td> <td>+ \$ 250.00 \$0.00</td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total Claims	21 - 20 =	1	x \$ 50.00 \$ 50.00	Independent Claims	3 - 3 =		x \$ 200.00 \$ 0.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 360.00 \$360.00	National Stage Application Size Fee - for each additional 50 sheets that exceeds 100 sheets			+ \$ 250.00 \$0.00	
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MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 360.00 \$360.00																			
National Stage Application Size Fee - for each additional 50 sheets that exceeds 100 sheets			+ \$ 250.00 \$0.00																			
TOTAL OF ABOVE CALCULATIONS = \$1,410.00																						
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$0.00																				
		SUBTOTAL = \$1,410.00																				
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$																				
		TOTAL NATIONAL FEE = \$1,410.00																				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property)		\$0.00																				
		TOTAL FEES ENCLOSED = \$1,410.00																				
		Amount to be refunded:																				
		Charged:																				

a. A check in the amount of \$ _____ cover the above fees is enclosed.
 b. Please charge my Deposit Account No. 50-2638 in the amount of \$1,410.00 to cover the basic filing fees. A duplicate copy of this sheet is enclosed.
 c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2638. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Charles Berman

SEND ALL CORRESPONDENCE TO:

Charles Berman, Esq.
Greenberg Traurig LLP
2450 Colorado Avenue, Suite 400E
Santa Monica, California 90404

Dated: March 18, 2005

SIGNATURE
NAME: Charles Berman
29249
REGISTRATION NUMBER

LA-PS\1327919v01\74606.010100

Page 2 of 2

Form PTO-1390 (REV 04/04)

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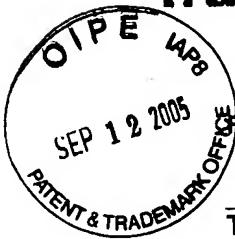
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PCT

Greenberg Traurig

JC06 Rec'd PCT/PTO 12 SEP 2005



Transmittal Cover Sheet

From: E. Nair Flores Tel: 310.586.6611 E-Mail: FloresN@gtlaw.com

To:	Fax No:	Company:	Phone No.:
Office of Initial Patent Examination	(703) 746-9195	U.S. Patent and Trademark Office	

File No.: 58260-011600/US

Re: 10/528,444

Date: September 12, 2005

No. Pages: Including Cover Sheet 5

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